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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Valentin SEPULVEDA-Covarrubias,** Defendant	Magistrate Docket No. '08 MJ 0328 08 FEB -5 AM 11:55 CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY DEPUTY COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **February 4, 2008** within the Southern District of California, defendant, **Valentin SEPULVEDA-Covarrubias** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th** DAY OF **FEBRUARY 2008.**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Valentin SEPULVEDA-Covarrubias

PROBABLE CAUSE STATEMENT

On February 4, 2008, Senior Patrol Agent A. Markle was assigned uniformed patrol duties near and around Jamul, California. At approximately 6:00 A.M. Agent Markle was informed of an activation of a seismic intrusion device near Jamul. This area is approximately twelve miles west of the Tecate, California and approximately four miles north of the International Boundary between the United States and Mexico.

Agent Markle observed two individuals walking west along a ridge just south of the 14 mile marker of Honey Springs Road. The two individuals crouched into the brush every time a vehicle passed below Honey Springs Road to avoid detection. Agent Markle and his canine began walking to the area where he had last seen the two individuals, with the assistance of his canine, Agent Markle found two individuals crouched in the rocks on the side of the ridge. Agent Markle identified himself as a United States Border Patrol Agent and questioned both males as to their citizenship and nationality. Both males, including one later identified as the defendant **Valentin SEPULVEDA-Covarrubias**, admitted to being citizens and nationals of Mexico,without any imigration documents to enter or remain in the United States lawfully. Agent Markle placed both aliens under arrest at approximately 7:10 A.M. and had them transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **August 10, 2007** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.